

ORDINANCE

AN ORDINANCE AMENDING THE OAK PARK VILLAGE CODE REGARDING E-BIKES, E-SCOOTERS, AND MOTORIZED MOBILITY DEVICES

WHEREAS, the Village of Oak Park, as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970, has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit, the Village of Oak Park's powers are construed liberally as held by the Illinois Supreme Court in the case of *Scadron v. City of Des Plaines*, 153 Ill.2d 164 (1992); and

WHEREAS, the Village Board has determined to amend the Oak Park Village Code with respect to e-bikes, e-scooters, and motorized mobility devices as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Oak Park, Cook County, Illinois, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference.

Section 2. Village Code Amendments. The Village Code of Ordinances of the Village of Oak Park, Illinois, is amended as set forth below, with **additions bold and double-underlined**.

AMENDMENT ONE:

Chapter 15 ("Motor Vehicles and Traffic") of the Village Code is amended to add a new Article 12, titled "E-Bikes, E-Scooters, and Mobility Devices," which will read as follows:

15-12-1: DEFINITIONS:

For purposes of this Article, the following terms have the meanings set forth below:

ADAPTIVE ELECTRIC BICYCLE: A low-speed electric bicycle that is designed, adapted, or used to accommodate a person with a mobility disability. This does not include a motorized wheelchair.

ELECTRIC BICYCLE: A bicycle with operable pedals and an electric motor.

ELECTRIC MICROMOBILITY DEVICE: A lightweight, low-speed, electric-powered personal transportation device, including an electric skateboard, electric unicycle, low-speed electric scooter, high-speed electric scooter, or similar device, operated at speeds up to 28 miles per hour. This does not include electric personal assistive mobility devices or toy vehicles.

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE: A self-balancing, non-tandem, two-wheeled device designed to transport only one person, with an electric propulsion

system that limits the maximum speed of the device to 15 miles per hour or less. This does not include electric micromobility devices.

ELECTRIC SKATEBOARD: An electric-powered device with no handlebars, designed to be stood upon by the operator, and equipped with a floorboard or deck mounted on wheels.

ELECTRIC UNICYCLE: An electric-powered device with one wheel, no handlebars, and an electric propulsion system, designed to be stood upon by the operator.

HIGH-SPEED ELECTRIC SCOOTER: An electric scooter with handlebars and a floorboard that can be stood upon while riding, that is solely powered by an electric motor and human power, that is capable of a maximum speed greater than 15 miles per hour, but that is not a moped or motor-driven cycle.

LOW-SPEED ELECTRIC BICYCLE: A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and that falls within one of the following classes:

1. Class 1 low-speed electric bicycle: A bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches 20 miles per hour.
2. Class 2 low-speed electric bicycle: A bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches 20 miles per hour.
3. Class 3 low-speed electric bicycle: A bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches 28 miles per hour.
4. Low-speed electric bicycles are not mopeds or motor driven cycles, and any electric bicycle that is not a low-speed electric bicycle is considered a motor driven cycle.

LOW-SPEED ELECTRIC SCOOTER: A device weighing less than 100 pounds, with two or three wheels, handlebars, and a floorboard capable of being stood upon while riding, that is powered by an electric motor, human power, or both, and has a maximum speed of not more than 15 miles per hour. Low-speed electric scooters do not include mopeds or motor driven cycles.

LOW-SPEED GAS BICYCLE: A two or three wheeled device with fully operable pedals and a gasoline motor of less than one horsepower or 15 cubic centimeter displacement that is operated at speeds up to 28 miles per hour.

MOTOR-DRIVEN CYCLE: Any motorcycle, moped, and motor scooters with an internal combustion engine of less than 150 cubic centimeter position displacement, or an electric motor with nominal power rating of greater than 750 watts but less than or

equal to 8,000 watts, including motorized pedalcycles and every electric bicycle or gas-powered bicycle that is not a low-speed electric bicycle or low-speed gas bicycle.

TOY VEHICLE: Any battery powered ride-on toy that (i) is designed to not exceed 10 miles per hour, (ii) includes any number of wheels or handlebars or a steering wheel and a seat or platform, and (iii) is designed for children under 8 years of age.

15-12-2: LOW-SPEED ELECTRIC BICYCLE:

A. A low-speed electric bicycle may be operated on any highway, street, roadway authorized for use by bicycles, including, but not limited to, bicycle lanes, or bicycle path unless operation is prohibited by law or posted signage.

B. No person shall operate a low-speed electric bicycle upon a sidewalk within the Village.

C. No person shall operate a Class 1 or Class 2 low-speed electric bicycle unless the operator is at least 15 years of age.

D. No person shall operate a Class 3 low-speed electric bicycle unless the operator is at least 16 years of age.

E. No person under 18 years of age operating a low-speed electric bicycle shall carry a passenger, unless the passenger is the operator's sibling, step-sibling, child, or stepchild and the device is designed and equipped to carry a passenger.

F. Every Class 2 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied.

G. Every Class 1 low-speed electric bicycle and a Class 3 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling.

H. Every Class 3 low-speed electric bicycle shall be equipped with a speedometer.

15-12-3: LOW-SPEED GAS BICYCLES:

A. A low-speed gas bicycle may be operated on any highway, street, roadway authorized for use by bicycles, including, but not limited to, bicycle lanes, or bicycle path unless operation is prohibited by law or posted signage.

B. No person shall operate a low-speed gas bicycle upon a sidewalk within the Village.

C. No person shall operate a low-speed gas bicycle unless the operator is at least 16 years of age.

D. No person under 18 years of age operating a low-speed gas bicycle shall carry a passenger, unless the passenger is the operator's sibling, step-sibling, child, or stepchild and the device is designed and equipped to carry a passenger.

E. Low-speed gas bicycles may not be operated at speeds greater than 28 miles per hour upon any highway, street, or roadway.

15-12-4: ELECTRIC MICROMOBILITY DEVICES:

A. An electric micromobility device may be operated on any highway, street, roadway, bicycle lane, or bicycle path within the Village.

B. No person shall operate an electric micromobility device upon a sidewalk within the Village.

C. No person shall operate an electric micromobility device on any interstate highway, or on any highway where the posted speed limit exceeds 35 miles per hour, unless there is a designated bicycle lane on the highway.

D. No person shall operate an electric micromobility device that is capable of speeds greater than 28 miles per hour on any bicycle lane, bicycle path, or public highway regardless of posted speed limit.

E. No person shall operate an electric micromobility device unless the operator is 16 years of age or older.

F. Every electric micromobility device shall be equipped with a functioning brake or mechanism that allows for the deceleration of the device when in use that will adequately control movement of the device and allow the device to be stopped.

G. When in use at nighttime, every electric micromobility device shall be equipped with and use a front lamp emitting white light visible from a distance of at least 500 feet and a rear red reflector or rear red lamp that is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle, except that a lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear may be used in addition to or instead of the red reflector.

H. No person shall operate an electric micromobility device with a passenger unless the device is designed and equipped by the manufacturer to carry more than one person.

I. An electric micromobility device may be parked in the same manner and at the same locations as a bicycle may be parked; however, such device must not obstruct any sidewalk or pedestrian right-of-way.

J. No person shall knowingly tamper with or modify the speed capability or engagement of an electric micromobility device beyond the original speed capability of the device.

K. No electric micromobility device shall be equipped with a siren nor shall any person use any siren upon an electric micromobility device; unless it is an electric micromobility device used by a police or fire department.

L. The Village may confiscate or impound electric micromobility devices that violate or are used in a manner that violates this article or the Illinois Vehicle Code generally in accordance with the applicable procedures in Article 15-10 of the Village Code as those procedures may be modified with respect to electric micromobility devices. The Village may provide for the release of a properly impounded vehicle and for the imposition of a reasonable administrative fee determined by the Village Manager related to its confiscation and impounding. The administrative fee shall be waived upon verifiable proof that the vehicle was stolen or hijacked at the time the vehicle was impounded.

15-12-5: MOTOR-DRIVEN CYCLES:

A. A motor-driven cycle may be operated on public highways, streets, or roadways within the Village.

B. No person shall operate a motor-driven cycle upon interstate highways; highways with speed limits in excess of 55 miles per hour; sidewalks; bicycle lanes; bicycle paths; shared-use paths; off-road bicycle trails or natural surface trails designed for bicycle use; any other bicycle-specific facility established under State or local law; and public land where expressly prohibited by the State governing body, department, or agency having jurisdiction.

C. No person shall operate a motor-driven cycle unless the operator has the driver's license, or is 16 or 17 years old and has an instructional permit.

D. No person shall operate a motor-driven cycle with a passenger unless the device is designed and equipped by the manufacturer to carry more than one person. No person under 18 years of age operating a motor-driven cycle shall carry a passenger, unless the passenger is the operator's sibling, step-sibling, child, or stepchild of the driver.

E. Every motor-driven cycle shall be equipped a speedometer and a vehicle identification number. No person shall knowingly tamper with or modify the speed capability or engagement of a motor driven cycle beyond its originally intended capability.

F. The Village Manager, Chief of Police, or their designee may cause signs or markings to be posted on any highway, bicycle lane, bicycle path, shared-use path, off-road bicycle trail or natural surface trail designed for bicycle use, and any other bicycle-specific facility established under State or local law where motor-driven cycle operation is prohibited.

G. The Village may confiscate or impound motor-driven cycles that violate or are used in a manner that violates this article or the Illinois Vehicle Code generally in accordance with the applicable procedures in Article 15-10 of the Village Code as those procedures may be modified with respect to motor-driven cycles. The Village may provide for the

release of a properly impounded vehicle and for the imposition of a reasonable administrative fee determined by the Village Manager related to its confiscation and impounding. The administrative fee shall be waived upon verifiable proof that the vehicle was stolen or hijacked at the time the vehicle was impounded.

15-12-6: TOY VEHICLES:

A. A toy vehicle may be operated only on a sidewalk or bicycle path within the Village.

B. No person shall operate a toy vehicle on a street, highway, roadway, or bicycle lane, except as necessary to cross a street or roadway at a lawful crossing and in a safe manner.

C. No person shall tamper with or modify a toy vehicle in a manner that increases the maximum speed or changes the device's lawful operating capability.

15-12-7: EFFECTIVENESS:

This article will be effective upon its passage, approval, and publication, and will automatically be repealed and be of no further force or effect at 11:59 p.m. on December 31, 2026.

AMENDMENT TWO:

Section 15-2-1 ("Definitions") of the Village Code is amended to read as follows:

* * *

BICYCLE: Any device propelled by human power upon which any person or persons may ride, having two (2) or more wheels, any of which is more than sixteen inches (16") in diameter. "Bicycle" does not include adaptive electric bicycles, electric bicycles, electric micromobility devices, electric personal assistive mobility devices, electric skateboards, electric unicycles, high-speed electric scooters, low-speed electric bicycles, low-speed electric scooters, low-speed gas bicycles, motor driven cycles, or toy vehicles, as those phrases are defined in Article 12 of this chapter.

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AMENDMENT THREE:

Section 22-4-2.A.1 of the Village Code is amended to read as follows:

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BICYCLE: Any device propelled by human power upon which any person or persons may ride, having two (2) or more wheels, any of which is more than sixteen inches (16") in diameter. "Bicycle" does not include adaptive electric bicycles, electric bicycles, electric micromobility devices, electric personal assistive mobility devices, electric skateboards, electric unicycles, high-speed electric scooters, low-speed electric bicycles, low-speed electric scooters, low-speed gas bicycles, motor driven cycles, or toy vehicles, as those

phrases are defined in Chapter 15, Article 12 of this Village Code.

SKATEBOARD: A board of any material to which roller skate wheels or similar wheels are attached. "Skateboard" does not include electric skateboards, as defined in Chapter 15, Article 12 of this Village Code.

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Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity thereof will not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict. This Ordinance will take effect upon passage and may be published in pamphlet form by the Office of the Village Clerk.

Section 4. Effective Date. This Ordinance will be in full force and effect after its passage, approval and publication as required by law.

ADOPTED this __ day of _____, 2026, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Eder				
Trustee Enyia				
Trustee Leving Jacobson				
Trustee Straw				
Trustee Taglia				
Trustee Wesley				

APPROVED this __ day of _____, 2026.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this __ day of _____, 2026.

Christina M. Waters, Village Clerk